

House passes special education overhaul

April 30th, 2003

By Joanne Kenen

Reuters

WASHINGTON (Reuters) - The U.S. House Wednesday passed sweeping legislation to overhaul special education. The bill has the backing of many school administrators and teachers groups but parents' and children's advocacy groups say key provisions will be a step backward.

The vote was 251-171. Thirty-three Democrats joined the Republican majority, while seven Republicans voted against it.

A Senate committee is trying to work out an accord on a companion package.

The bill updates special education legislation that originated in 1975, which revolutionized the approach to teaching children with learning or developmental disabilities. Until then many special needs children were institutionalized, segregated in separate rooms or denied services to achieve their potential.

The House defeated several amendments offered by conservatives that would have narrowed the definition of learning disabilities, potentially limiting the number of eligible children, or shifted some special education services from the public schools to the private sector.

Supporters said the bill would allow teachers to spend less time on paperwork and more time with kids.

"Students and parents deserve improved academic results, teachers must be freed from the crushing paperwork burden, and the system must be untied from costly and unnecessary litigation," said Delaware Republican Rep. Michael Castle, the lead sponsor.

Ohio Republican John Boehner, chairman of the Education and Workforce Committee, said it was strongly supported by teachers and principals who are the "front-line educators." It has been endorsed by the National Association of Elementary School Principals and other groups of administrators.

Led by California Democrat Rep. George Miller, the Democratic critics said the reforms, including changes that would make it easier to expel a special needs child for violating school rules, would erode a child's legal right to free and appropriate public education and limit parents' options.

"It makes it easier to kick children with disabilities out of the classroom, even when they are trying to comply, when they are doing their best," said Illinois Democrat Rep. Jan Schakowsky.

The National PTA, the Children's Defense Fund and a number of organizations representing social workers and therapists who work with disabled children opposed the bill.

One big fight centered on whether and how to finally get Washington to live up to its decades-old promise to pay 40 percent of the cost of special education.

House Republicans, who have raised special education spending for the last several years, said the bill would put the government on course to meet that full funding commitment in seven years. Some Democrats unsuccessfully demanded that the money be mandated or guaranteed -- instead of allocated each year as part of the annual congressional spending bills.

Supporters of the bill said it would authorize about \$50 billion for special education over 2004-09.

In addition to reducing paperwork and giving the option of a three-year review of a child's special needs instead of an annual one, it also stresses early intervention, especially with children having trouble learning to read or those with signs of emotional problems.